

**Minutes of the Board of Assessors
Meeting of September 17, 2020**

An online meeting of the Board of Assessors was held via Zoom on Thursday, September 17, 2020. The meeting was called to order at 9:00 AM by Chair Daniel Hansberry

Members Present:

Daniel Hansberry

Robert Earley

Paul Bergeron

Assessing Staff Present:

Greg Tugiss

Amanda Mazerolle

Louise Brown

Other City of Nashua Staff Present:

Administrative Services Director Kimberly Kleiner, Rex Norman CAE, Deputy Corporation Counsel Celia Leonard

Mr. Hansberry

I will call the meeting of the Nashua Board of Assessors to order at 9:00 AM on Thursday, September 17th, 2020. I would ask that everyone to please bear with me because I'm obliged to read a rather lengthy opening statement.

Good morning and welcome to the September 17th, 2020 Board of Assessors meeting. As Chair of the Board of Assessors, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:

a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means:

We are utilizing Zoom through the City's IT Department for this electronic meeting. All members of the Board of Assessors have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen into this meeting through dialing the following number 929-205-6099, once again that number is

929-205-6099 and using the Meeting ID number 647-473-0083. Once again the Meeting ID number is 647-473-0083 and password of 229644, once again the password is 229644. The Public may also view this meeting on Comcast Channel 16.

b) Providing public notice of the necessary information for accessing the meeting:

We previously gave notice to the public of the necessary information for accessing the meeting, through Public Postings. Instructions have also been provided on the City of Nashua's website at nashuanh.gov and publicly noticed at City Hall and the Nashua Public Library.

c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access:

If anybody has a problem accessing the meeting via phone or Channel 16, please call 603-821-2049, once again that number is 603-821-2049 and they will help you connect.

d) Adjourning the meeting if the public is unable to access the meeting:

In the event the public is unable to access the meeting via the methods mentioned above, the meeting will be adjourned and rescheduled. Please note that all votes that are taken during this meeting will be done by roll call vote.

Let's start the meeting by taking a roll call attendance. When each member states their presence, the reason they are not able to attend the meeting in person, please also state whether is anyone in the room with you during this meeting, which is required under the Right to Know Law. I will call the roll, Mr. Earley?

Mr. Earley

This is Robert Early, I'm a member of the Board of Assessors. I am following the Governor's guidelines and joining the meeting remotely from home. There is no one in the room with me.

Mr. Hansberry

Mr. Bergeron.

Mr. Bergeron

This is Paul Bergeron, a member of the Board of Assessors, following the Governor's advisory, I'm joining the meeting remotely from my home and there's no one else in the room with me.

Mr. Hansberry

And I'm Daniel Hansberry, I'm also joining the meeting remotely from home following the Governor's advisory and there is no one here in the room with me.

Today, we will be hearing various requests as listed on the agenda. Please note that decisions may be taken under advisement and involved parties will be notified at a later date.

Per the City of Nashua by-laws, a minimum of two or more affirmative votes are required to approve any application. In addition, this Board will hear any, and all scheduled cases as long as quorums of two voting Board Members are present at this meeting.

Any citizen has the right to contest the decision that this Board makes. To appeal a municipality's decision on an abatement application, the taxpayer may appeal to either the Board of Tax and Land Appeals or to the Superior Court, but not to both. Please contact the Assessing Department for more information.

Ms. Brown, are there any changes to today's agenda?

Ms. Brown

There are no changes.

Mr. Hansberry

Thank you.

Does anyone have any questions before we begin?

Is there a motion to wave the reading of the Board of Assessors minutes, meeting minutes from September 3rd, 2020, accept them and place them on file?

Mr. Earley

So moved.

Mr. Hansberry

Is there a second? Is there a second?

Mr. Bergeron

I'll second that.

Mr. Hansberry

Okay, are there any errors or corrections? Seeing none, I will call the roll. All those in favor of approving the board minutes as presented will signify by saying yes. If they are opposed they will signify by saying no. Mr. Earley?

Mr. Earley

Yes.

Mr. Hansberry

Mr. Bergeron?

Mr. Bergeron

Yes.

Mr. Hansberry

Mr. Hansberry? Yes.

Is there a motion to wave the minutes of the non-public session which was held during the Board of Assessors meeting on September 3rd, 2020, accept them and place them on file?

Mr. Earley

So moved.

Mr. Hansberry

Is there a second?

Mr. Bergeron

I'll second that.

Mr. Hansberry

Are there any errors or corrections? I will call the roll. Mr. Earley?

Mr. Earley

Yes.

Mr. Hansberry

Mr. Bergeron?

Mr. Bergeron

Yes.

Mr. Hansberry

Mr. Hansberry, yes. Minutes are adopted as presented.

Communications. At this time I would like to recognize Kimberly Kleiner, who is Director of Administrative Services for a division update. Director Kleiner is responsible, as part of her duties for is oversight of the Assessing Department. Ms. Kleiner.

Ms. Kleiner

Good morning Chair Hansberry and members of the Board. I'm going to share my screen so that members of the public may see so that members of the public may see what I, the memo I'm speaking to. As what was reported to you back at the last meeting on September 3rd, September 9th was the last day for in-house appointments in the Assessing Department due to the renovations at City Hall. Residents may contact the Assessing Department or view the instructions posted on the City website for access to records. Last evening the Finance Committee of the Board of Alderman approved the contract with D.L. King and Associates for the construction which will begin next Monday September 21st. Construction within the Assessing Office is estimated to be completed around mid-November. I want to caution a little bit on this date. As many of you know, with construction, there's sometimes delay and that date can change if there are problems with subcontractors or delay of materials. During the closure of assessing, normal duties will be performed remotely. Residents will have access to their property files with the exception of property files that have been sent to Inception Technologies for scanning into our new document management system. Files that are sent to Inception Technologies are expected to be returned within three to four weeks. Approximately 50 boxes are sent at a time, which is only about a 10th of our records. So you can see this is going to be a process that's going to take a while. This week I sent two communications where either the Board of Assessors was copied or it was directly sent to you. One on Monday, which was an email to Commissioner Stepp. It also had an attachment from Mr. Rex Norman. On Tuesday, there was an email to Donna Graham, who's the Legislative Assistant for the Board of Alderman. The title of that was Assessing Employee PDF's and customer service. I am attaching this, I would like these, both of these communications recorded into your meeting minutes, so when I email this to Ms. Brown for addition to the minutes, we will include those emails. Today we welcome Ms. June Perry. She's the project manager for Vision Government Solutions. She'll be providing us with an update on the 2020-2022 full revaluation. We want to her for joining us today. I believe she was last here in June so this is your quarterly update. And with that, I will give it back to you.

Mr Hansberry

Ms. Perry.

Ms. Perry

Can you hear me now?

Mr. Hansberry

Yes.

Ms. Perry

Good morning.

Mr. Hansberry

Good morning.

Ms. Perry

So thank you for having me. Just to give you an update on where we are with the data collectors. As you know, we just entered Ward 5 and so 1 through 4 is complete, with the residential. And one of the things the City does that I just want to reiterate again, is they send out a letter to the property owners before we go into each ward. So that has been extremely helpful. It's letting them know that the data collectors are going to be out there and they're in the area. Those go out, roughly, about a week or so, we try to time it, prior to us getting to that ward. So that's worked out really well, you know, property owners know we're in the area. So, right now, as of September 12th, we've measured 10,410 properties out of the 25,605, so that represents 41% complete. So in Phase I, I think that's great; we are moving along as scheduled. We're hoping to be 50% complete by the end of December and I think we're well on our way to that if not surpass it by December. Hopefully we won't have too bad of a winter ahead of us but we all kind of look forward to those winter months when we are going to be out there. The team is doing a good job. That's Rick, and he has five guys out there. Everybody's been working hard and we will be starting the commercials in October. That is our plan so we're looking forward to getting going with that as well. That will continue through December 2021 is when our goal is to be done with all of the data. That pretty much brings us up to date with where we are because right now we are still in Phase I which is purley data collection.

Mr. Hansberry

Thank you. Questions for Ms. Perry?

Mr. Earley

Mr. Chairman.

Mr. Hansberry

Yes.

Mr. Earley

Could I ask what the plans are to do interior inspections at some point? If we're able to do that? Of course it depends on the pandemic and where we are. Are there plans in the works to eventually do interior inspections?

Ms. Perry

Do you want me to take that Kim or do you want to take that? Okay.

So yes, the plan is to do interior inspections just like everybody else, we're waiting to hear from the CDC, from the Governor and guidelines from the DRA as far as doing interiors. But hopefully come next year, we'll start those letters going out and then we'll start interior inspections. We'll do that the same way we're doing the exterior. We'll start one ward at a time. We'll send them a letter, ask them to call and make an appointment with Vision. We'll set up a time, and we'll come back to the house to do the interior inspection. That's the ultimate goal.

Mr. Earley

Thank you.

Mr. Hansberry

Ms. Perry, when you anticipate that the exterior inspections will be done?

Ms. Perry

Well, we're waiting like everybody else to hear when we can have permission to start that process.

Mr. Hansberry

No, the exterior. The outside inspections, when do you anticipate they will be done?

Ms. Perry

December of next year. We're 41% complete now and we're scheduled to be done by December of '21, or earlier hopefully.

Mr. Hansberry

That's just the outside inspections? That's what I'm asking about.

Ms. Perry

Yes, that's just the outside. So we'll have two things going on at the same time. We'll have some people doing exteriors and some people doing interiors, once we start that process. Does that answer your question?

Mr. Hansberry

I guess, what I'm thinking of is, let's say it's going to be awhile before you go inside properties. If you were just doing all exterior inspections from now until you are given the green light and you were to complete all exterior inspections before you did a single interior inspection. That's my question. When will those interior inspections **be done** under the circumstances I just described?

Ms. Perry

Well, we don't wait until we're done with all the exteriors. As soon as we get the green light to go ahead and do the interiors, they'll be being done at the same time.

Mr. Hansberry

I understand that—I don't mean to interrupt--but if you're not given the green light for an extended period of time to do the exterior inspections, just with the exterior inspections, under that circumstance, when would you be done with the exterior inspections, if that's all you're allowed to do?

Ms. Perry

Currently, were scheduled to be done December 2021 but I think, personally, I think we'll be done prior to that. So our timeline goes until that point but I think we'll be done probably closer to the late fall of 2021, at the rate we are going with the exterior only inspections.

Mr. Hansberry

So if you're not given the green light it's going to be potentially considerable downtime before you would be back to resume the reassessment, correct?

Ms. Perry

Well, if we're not given the green light we'll be looking at alternatives of, other ways to do the interior inspections. We haven't hit that roadblock yet so we're hoping for the green light and just move forward. We'll send out as many letters as we need to send out and have as many people doing inspections. If I have five people doing inspection that's 500 inspections we can be doing per week and it goes pretty quickly once we get all those letters out.

Mr. Hansberry

At this point then, you're saying don't borrow trouble, let's just wait and see how it plays out really. Correct?

Ms. Perry

We can't really say until we know those answers and we can't make new decisions until we know whether or not we can go forward with getting into them, physically.

Mr. Hansberry

All right, thank you. Mr. Earley?

Mr. Earley

Mr. Chairman. Is the interior restriction, does that also apply to all the commercial properties or is some commercial properties, be done on the interior even during the restrictions we have now?

Ms. Perry

We are going with not doing interiors at all until we're told we're allowed to go in.

Mr. Earley

Thank you.

Mr. Hansberry

Other questions for Ms. Perry? Okay, thank you very much.

Ms. Perry

You're welcome.

Ms. Lu

I'm sorry, I did have a question. Hi, Elizabeth Lu Alderwoman Ward 6.

Ms. Perry

Good morning

Ms. Lu

Good morning

Mr. Hansberry

Go ahead.

Ms. Lu

Thank you. I'm sorry, am I out of order?

Mr. Hansberry

We'll make an exception, go ahead. That's fine.

Ms. Lu

I'm happy to—well, I thought Ms. Perry was leaving?

Mr. Hansberry

Yeah, she may be leaving so rather than hold her up, go right ahead Alderman Lu.

Ms. Lu

Thank you. I just wanted to follow up on something that Director Hansberry had asked. I think there was just some confusion. How long have you been doing the exterior inspections? Did it start...

Ms. Perry

We started back in March.

Ms. Lu

Okay.

Ms. Perry

So about 6 months.

Ms. Lu

So you've done, if you've done 40% in six months but you expect the remaining 60 to take over 12 months?

Ms. Perry

We have, in our contract, we have up until December of 21. So, I never like to cut myself short on time. We are hoping to be done ahead of that because we're going along at a good rate. But, like I said, you never know what the winter months are going to do to our timetable.

Ms. Lu

Okay. I see. Thank you.

Mr. Hansberry

All right. Once again, thank you very much Ms. Perry.

Ms. Perry

You're welcome.

Mr. Hansberry

New business, there's no new business.

Mr. Bergeron

Mr. Chairman

Mr. Hansberry

Yes.

Mr. Bergeron

If I may. Would a motion be in order to add the communications referenced by Mrs. Kleiner as attachments to the minutes of this meeting thus making them part of the permanent records?

Mr. Hasberry

Certainly, go right ahead.

Mr. Bergeron

I shall move.

Mr. Hansberry

Is there a second?

Mr. Earley

I'll second that

Mr. Hansberry

Okay. So the motion is to make the communication submitted by Director Kleiner as part of the permanent record. I will call the roll. Mr. Earley?

Mr. Earley

Yes.

Mr. Hansberry

Mr. Bergeron?

Mr. Bergeron

Yes.

Mr. Hansberry

Mr. Hansberry, yes. The motion is adopted.

So, no new business. No new unfinished business. Public comment, is there anyone waiting out in cyberspace to comment?

Ms. Ortolano

Chairman Hansberry, this is Laurie Ortolano.

Mr. Hansberry

Good morning. Go right ahead Ms. Ortolano. If you could state your name and address please.

Ms. Ortolano

Yes, Laurie Ortolano, 41 Berkeley Street. I just want to address a procedural concern on public comment. I believe that anyone who has an abatement filed and wants to discuss their abatement should be permitted to have public comment. I am aware that the legal office can give recommendations to the Board of Assessors but I also found the public record where the legal office says that you do not have to accept our recommendation and it's only advice, it's up to you to act on it. I don't know if I was denied the opportunity to have public comment on my 2019 abatement because you were told not to allow it. But, I certainly was not allowed to get on the agenda to speak to that. And I was denied for two meetings not to speak to that. Here's my concern, an abatement is not a legal action according to the Assessing Standard Board. It's not a litigation. It's really a back and forth between a city and a property owner to try and resolve a dispute. When I filed that abatement as a representative on my own, there was no council involved at all. And certainly the city would have expected me to speak on it because I spoke on

the 2018 abatement and I've been a pretty regular fixture of your board meetings, participating in public comment for more than 18 months, so it certainly shouldn't have been a surprise to anyone that I would want to speak to that issue and of course my property assessment is an important issue to me. Whatever the city chooses to do with an abatement, you know I happen to think a property owner should understand that and know that and I certainly followed mine. I was told my abatement was being handled by the assessing office and Ms. Kleiner specifically. For more than two months I tracked it, I found out who it was assigned to. I communicated getting on the agenda. I followed up and watched all the abatements being approved so I was pretty involved with what was going on with my abatement, or thought I was. I had no idea that the city was taking the position to merely let it expire without the Board of Assessors acting on it. And I wouldn't have known that unless the city shared that with me, and they didn't. They chose not to. So when I make the request to go on the agenda, and I don't have any information on what the city is doing, I don't feel that you have the right to shut me down or prevent me communicating because every other citizen who wanted to speak to their abatement was allowed to. And I just feel strongly that, that was really a violation of my rights. You know, I should be able to, independent of whether there's an appeal. I'm asking for an opinion of value on the property. The opinion of value is the market value, a market value issue, it really had nothing to do with the assessment level at that point. And I don't know why we couldn't have discussed sales and opinion of value. And now that I realize my next door neighbor won a very low, a very good abatement and the assessment was dropped 160,000 and the house, basically across, directly in front of me, two houses on Concord Street was dropped 170-180,000 in an abatement correction, both for 2019, it only makes it more compelling for me to believe that my property was worth a discussion. So I just want to let you know that I feel you should, as a group, discuss who gets to have public input and I'm not certain you should be cutting anyone out. And remember, the legal office gives you advice but Mr. Hansberry, you told me at one time that we have to take the advice of the legal office. If you read the minutes when Attorney Bolton first came and introduced himself to you, he made it clear that you do not. So please bear that in mind. Thank you.

Mr. Hansberry

Thank you. Are there other people waiting to address the Board? Since I'm not hearing anything I'm going to operate with the understanding that everyone who wanted the opportunity to speak has been granted that opportunity.

Are there comments by members of the board?

Mr. Earley

No

Mr. Bergeron

No. None for me

Mr. Hansberry

Alright, is there a motion to go into non-public session for two reasons. First to discuss matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant, pursuant to RSA 91-A, :3, II(c). Second, under 91-A: 3, II (l), for the consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.

Mr. Earley

So moved.

Mr. Hansberry

Is there a second?

Mr. Bergeron

I'll second that.

Mr Hansberry

Okay, I will call the roll. Mr. Earley?

Mr Earley

Yes.

Mr. Hansberry

Mr. Bergeron.

Mr Bergeron

Yes.

Mr Hansberry

Mr. Hansberry, yes. Please let the record show that we have entered non-public session at 9:25 AM.

Let the record show that we have exited non- public session at 9:44 AM. Is there a motion to seal the minutes of the non-public session because divulgence of the information likely would one

affect adversely the reputation of any person other than a member of this public body and two render the proposed action ineffective?

Mr. Earley

So moved.

Mr. Hansberry

Is there a second?

Mr. Bergeron

I'll second that.

Mr. Hansberry

I will call the roll. Mr. Earley?

Mr. Earley

Yes.

Mr. Hansberry

Mr. Bergeron?

Mr. Bergeron

Yes.

Mr. Hansberry

Mr. Hansberry? Yes. Motion is adopted.

Is there any other business to come before us?

Ms. Kleiner

No Mr. Chair.

Mr. Hansberry

I want to thank everyone and I want to thank the IT Department. Is there a motion to adjourn.

Mr. Earley

So moved.

Mr. Hansberry

Is there a second?

Mr. Bergeron

I'll second that.

Mr. Hansberry

Here's where I'm supposed to call the roll. Mr. Earley?

Mr. Earley

Yes.

Mr. Hansberry

Mr. Bergeron?

Mr. Bergeron

Yes.

Mr. Hansberry

Mr. Hansberry? Yes. Let the record show that the meeting is adjourned at 9:45 AM.